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10 Attorneys for Plaintiff and Counterclaim-Defendant
Monster, Inc.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION
14

15 MONSTER, INC, a California corporation,
16

17 Plaintiff and Counterclaim-
18 Defendant,

19 v.

20 DOLBY LABORATORIES LICENSING
CORPORATION, a New York corporation,

21 Defendant and
22 Counterclaimant.

Case No. 12-CV-2488 YGR

**PLAINTIFF'S UNOPPOSED MOTION
FOR EXTENSION OF TIME FOR EXPERT
DISCOVERY AND [PROPOSED] ORDER
GRANTING SAME**

Jury Trial Demanded

Original Complaint Filed: Nov. 8, 2011

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD: NOTICE IS HEREBY
 2 GIVEN THAT pursuant to Local Rule 6-3, Plaintiff-Counterclaim Defendant Monster, Inc.
 3 (“Monster”), hereby submits this unopposed motion to change the time for the disclosure of the
 4 parties’ expert reports to October 22, 2012 and to permit the parties to schedule depositions of the
 5 reporting experts shortly thereafter. Defendant-Counterclaimant Dolby Laboratories Licensing
 6 Corp. (“Dolby”) does not oppose this motion or the requested change in scheduling.

7 **STATEMENT OF RELIEF REQUESTED**

8 The expert discovery cutoff in this case is set October 15, 2012, which also is the cutoff
 9 for all discovery. (D.N. 39.) Monster respectfully requests an order changing the current
 10 schedule to permit the disclosure of the parties’ expert reports by October 22, 2012, which is
 11 seven days after the current discovery cutoff, and to permit the parties to schedule the experts’
 12 depositions shortly after their reports have been disclosed. Good cause exists for this request, as
 13 the scheduling order (D.N. 39) does not provide for specific deadlines for expert report
 14 disclosures or other expert discovery; Monster’s new counsel, Kasowitz, Benson, Torres &
 15 Friedman, first appeared in this action on September 4, 2012, has replaced prior counsel and is
 16 transitioning into the case; and both parties will benefit from an additional week to prepare expert
 17 reports, some of which are likely to require and be based on consumer surveys and market
 18 research now in progress. The requested brief extension of the expert discovery deadline would
 19 ensure that the parties have more sufficient time to prepare such expert reports. Dolby, who does
 20 not oppose this motion or the change in schedule, will receive the same benefits of the extension
 21 as Monster.

22 The requested expert discovery extension, which Dolby does not oppose, will not have
 23 any affect on any other part of the schedule for this case, as the change will not affect any hearing
 24 or proceeding currently on the Court’s calendar. This is not the first modification to the schedule
 25 in this case. As discussed in the attached declaration at paragraphs 8-15, there have been other
 26 changes in the schedule to allow the parties to discuss settlement, as well as changes during the
 27 pendency of Dolby’s Motion to Transfer. Monster and Dolby conferred about this expert
 28

1 discovery scheduling issue on September 7, 10 and September 11, 2012, and Dolby has informed
2 Monster that it will not oppose Monster's request for the extension. Further, the parties have
3 agreed to confer in good faith and to commence and complete expert depositions expeditiously
4 after the exchange of expert reports.

5 **CONCLUSION**

6 For the foregoing reasons, Monster respectfully requests that its motion be granted.

7
8 Dated: September 12, 2012

KASOWITZ, BENSON, TORRES &
FRIEDMAN LLP

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10 By: /s/ Gabriel S. Gross

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14 Defendant Monster, Inc.
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[PROPOSED] ORDER

Pursuant to Monster's Unopposed Motion, the parties shall disclose expert reports pursuant to Rule 26(a)(2) no later than October 22, 2012 and shall commence and complete experts' depositions within a reasonable time thereafter.

Dated: _____, 2012

Honorable Yvonne Gonzalez Rogers
United States District Court Judge